Please AMEND claims 1-22, and

Please ADD claims 23-26 as shown below.

1. (Currently Amended) A data transmission method ~~in a telecommunication system~~, ~~the method~~ comprising:

determining ~~the~~ a number of bit rate classes;

setting minimum bit rates for the bit rate classes;

setting a general minimum bit rate;

setting a maximum transmission power target;

arranging resource requests into a queue; and

allocating resources in a telecommunication system according to the requests in the queue by using the minimum bit rates as bit rate allocation portions until the maximum transmission power target is achieved.

2. (Currently Amended) A data transmission method ~~in a telecommunication system~~, ~~the method~~ comprising:

determining ~~the~~ a number of bit rate classes;

setting minimum bit rates for the bit rate classes;

setting a general minimum bit rate;

setting a maximum transmission power target;

arranging resource requests into a queue;

allocating resources in a telecommunication system according to the requests in the queue by using the minimum bit rates as bit rate allocation portions;

if the maximum transmission power target is not achieved when resources have been allocated to all the users in the queue,

increasing the bit rates on the basis of based on the queue until the maximum transmission power target is achieved; and

if the resource requests cause too much load in relation to the maximum transmission power target,

decreasing the required number of bit rates in a predetermined way.

3. (Currently Amended) The method of claim 1, further comprising:

determining the bit rate classes on the basis of based on the a required Quality quality of Sservice, QoS.

4. (Currently Amended) The method of claim 1, further comprising setting the bit rate classes on the basis of based on a Quality quality of Sservice, QoS, parameter, wherein the quality of service parameter comprises ARP, Allocation allocation Retention retention Priority priority.

5. (Currently Amended) The method of claim 2, further comprising:

when the maximum transmission power threshold is exceeded, decreasing the bit rate decreasing by allocating to the a user a general minimum bit rate.

- 5 -

6. (Currently Amended) The method of claim 2, further comprising:

when the maximum transmission power threshold is exceeded, decreasing the bit rate decreasing by allocating to the a user a class-specific minimum bit rate.

7. (Currently Amended) The method of claim 2, wherein the decreasing of the bit rates starts form from the a first user who has a bit rate higher than the a general minimum bit rate and the a lowest priority, followed by the a second user who has a bit rate higher than the a class specific minimum bit rate and the lowest priority.

8. (Currently Amended) The method of claim 2, further comprising:

if a general minimum bit rate or a class specific minimum bit rate is allocated to the users and the load remains too high, transferring the a required number of users are transferred to the a control channel.

9. (Currently Amended) A radio network controller, comprising:

a bit rate class determination unit configured to means for determininge the a number of bit rate classes;

a bit rate setter unit configured to means for setting minimum bit rates for the bit rate classes;

a general bit rate setter unit configured to set a general minimum bit rate;

a maximum transmission power target setter unit configured to ~~means for~~ setting a maximum transmission power target;

a queue unit configured to ~~means for arranging~~ arrange resource requests into a queue; and

a resource allocation unit configured to ~~means for allocating~~ allocate resources according to the requests in the queue by using the minimum bit rates as bit rate allocation portions until the maximum transmission power target is achieved.

10. (Currently Amended) A radio network controller, comprising:

a bit rate class determination unit configured to ~~means for~~ determin~~ing~~e ~~the~~ a number of bit rate classes;

a bit rate setter unit configured to ~~means for~~ setting minimum bit rates for the bit rate classes;

a general bit rate setter unit configured to set a general minimum bit rate;

a maximum transmission power target setter unit configured to ~~means for~~ setting a maximum transmission power target;

a queue unit configured to ~~means for arranging~~ arrange resource requests into a queue;

a resource allocation unit configured to ~~means for allocating~~ allocate resources according to the requests in the queue by using the minimum bit rates as bit rate allocation portions;

a bit rate increaser unit configured to ~~means for increasing~~ increase ~~the~~ bit rates ~~on the basis of~~ based on the queue until the maximum transmission power target is achieved; ~~and~~

a bit rate decreaser unit configured to ~~means for decreasing~~ decrease the required number of bit rates in a predetermined way.

11.   (Currently Amended)   The radio network controller of claim 10, further comprising:

a bit rate class determination unit configured to ~~means for determining~~ determine the bit rate classes ~~on the basis of~~ based on ~~the~~ a required ~~Quality~~ quality of ~~S~~ service~~, QoS~~.

12.   (Currently Amended)   The radio network controller of claim 10, further comprising:

a bit rate class setter configured to ~~means for~~ setting the bit rate classes ~~on the basis of~~ based on a ~~Quality~~ quality of ~~S~~ service~~, QoS,~~ parameter, wherein the quality of service parameter comprises ~~ARP, Allocation~~ allocation ~~Retention~~ retention ~~Priority~~ priority.

13.   (Currently Amended)   The radio network controller of claim 10, ~~further comprising~~ wherein the bit rate descreaser unit is configured to ~~means for decreasing~~ decrease the bit rate by allocating a general minimum bit rate to a user.

- 8 -

14. (Currently Amended) The radio network controller of claim 10, <u>wherein the bit rate descreaser unit is configured to</u> <s>further comprising means for decreasing</s> <u>decrease</u> the bit rate by allocating the class specific minimum bit rate to a user.

15. (Currently Amended) The radio network controller of claim 10, further comprising<u>:</u>

<u>a bit rate decrease initiation unit configured to</u> <s>means for</s> starting the decreasing of the bit rate<u>s</u> from <s>the</s> <u>a first</u> user who has a bit rate higher than <s>the</s> <u>a</u> general minimum bit rate and <s>the</s> <u>a</u> lowest priority, followed by <s>the</s> <u>a second</u> user who has a bit rate higher than <s>the</s> <u>a</u> class specific minimum bit rate and the lowest priority.

16. (Currently Amended) The radio network controller of claim 10, further comprising<u>:</u>

<u>a transference unit configured to</u> <s>means for</s> transferring <s>the</s> <u>a</u> needed number of users onto <s>the</s> <u>a</u> control channel.

17. (Currently Amended) A base station<u>,</u> comprising:

<u>a resource arrangement unit configured to</u> <s>means for arranging</s> <u>arrange</u> resource requests into a queue;<u> and</u>

<u>a resource allocation unit configured to</u> <s>means for allocating</s> <u>allocate</u> resources according to the requests in the queue<u> by using minimum bit rates as bit rate allocation portions</u>.

18. (Currently Amended) A base station, comprising:

a resource arrangement unit configured to ~~means for arranging~~ arrange resource requests into a queue;

a resource allocation unit configured to ~~means for allocating~~ allocate resources according to the requests in the queue by using minimum bit rates as bit rate allocation portions;

a bit rate increaser unit configured to ~~means for increasing~~ increase ~~the~~ bit rates ~~on the basis of~~ based on the queue until ~~the~~ a maximum target set for ~~the~~ a transmission power is achieved; and

a bit rate decreaser unit configured to ~~means for decreasing~~ decrease ~~the~~ a required number of bit rates in a predetermined way.

19. (Currently Amended) A radio network controller, configured to:

determine ~~the~~ a number of bit rate classes;

set minimum bit rates for the bit rate classes;

set a general minimum bit rate;

set a maximum transmission power target;

arrange -resource requests into a queue; and

allocate resources according to the requests in the queue by using the minimum bit rates as bit rate allocation portions until the maximum transmission power target is achieved.

20. (Currently Amended) A radio network controller, configured to:

determine ~~the~~ a number of bit rate classes;

set minimum bit rates for the bit rate classes;

set a general minimum bit rate;

set a maximum transmission power target;

arrange -resource requests into a queue;

allocate resources according to the requests in the queue by using the minimum bit rates as bit rate allocation portions;

increase ~~the~~ bit rates ~~on the basis of~~ based on the queue until the maximum transmission power target is achieved; and

decrease the required number of bit rates in a predetermined way.

21. (Currently Amended) A base station, configured to:

arrange -resource requests into a queue; and

allocate resources according to the requests in the queue by using minimum bit rates as bit rate allocation portions.

22. (Currently Amended) A base station, configured to:

arrange -resource requests into a queue;

allocate resources according to the requests in the queue by using minimum bit rates as bit rate allocation portions;

increase the bit rates on the basis of based on the queue until the a maximum target set for the a transmission power is achieved; and

decrease the a required number of bit rates in a predetermined way.

23. (New) A radio network controller, comprising:

means for determining a number of bit rate classes;

means for setting minimum bit rates for the bit rate classes;

means for setting a general minimum bit rate;

means for setting a maximum transmission power target;

means for arranging resource requests into a queue; and

means for allocating resources according to the requests in the queue by using the minimum bit rates as bit rate allocation portions until the maximum transmission power target is achieved.

24. (New) A radio network controller comprising:

means for determining a number of bit rate classes;

means for setting minimum bit rates for the bit rate classes;

means for setting a general minimum bit rate;

means for setting a maximum transmission power target;

means for arranging resource requests into a queue;

means for allocating resources according to the requests in the queue by using the minimum bit rates as bit rate allocation portions;

- 12 -

means for increasing bit rates based on the queue until the maximum transmission power target is achieved; and

means for decreasing the required number of bit rates in a predetermined way.

25. (New) A base station comprising:

means for arranging resource requests into a queue; and

means for allocating resources according to the requests in the queue by using minimum bit rates as bit rate allocation portions.

26. (New) A base station comprising:

means for arranging resource requests into a queue;

means for allocating resources according to the requests in the queue by using minimum bit rates as bit rate allocation portions;

means for increasing bit rates based on the queue until a maximum target set for a transmission power is achieved; and

means for decreasing the required number of bit rates in a predetermined way.